(H)

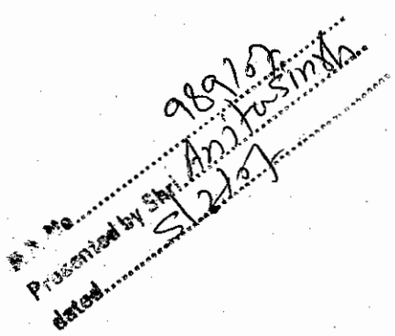
(A) SINGLE BENCH

CF 1007

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S)NO. 1231 /2007

PETITIONER : **RAMESH KUMAR MADHARIYA**
aged about 34 years,
S/o Shri Rup Singh Madariya
R/o Village Dhaba, P.O. Bhedsar,
Thana Pulgaon, Distt.-Durg (C.G.)

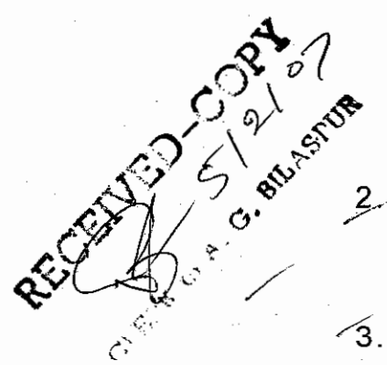


VERSUS

RESPONDENTS :1. **STATE OF CHHATTISGARH**
Panchayat & Village
Development Department, Dau
Kalyan Singh Bhawan, Ministrial
Raipur (C.G.)

2. Chief Exective Officer
District Panchayal Durg (C.G.)

3. Collector, Durg (C.G.)



WRIT PETITION U/A 226/227 OF THE CONSTITUTION OF INDIA

(18)

HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO 1231 of 2007.

Petitioner : Ramesh Kumar Madhariya.

versus

Respondents : State of Chhattisgarh & Others

Present : Shri D.R.Sharma, Senior Advocate with Ku. Anita Singh Advocate for the petitioner
Shri Satish Gupta, Deputy Government Advocate for the respondents /State.

ORDER
(Passed on 1st of March, 2007)

1. The petitioner was working as Shiksha Karmi Grade III in Government Girls Pre-Middle School Nagpura, who has been promoted to the post of Shiksha Karmi Grade II, and on promotion he has been transferred and posted to Pre-Middle School Khamariya, Patan in the same District.

2. The petitioner has impugned the transfer on promotion, on the ground that as per the policy of the State Government, husband and wife be posted at one place, as far as possible.

(19)

3. I have gone through the policy and the records appended to the petition. It is clear, that firstly, this is not a case of transfer simplicitor. It is a case of promotion and the petitioner has been posted on promotion to different school. If the petitioner is not willing to join at the new place of transfer, he may forego his promotion. For that the petitioner is not ready. So far as posting of husband and wife at one place is concerned, it is applicable in normal transfer cases and that too, as far as possible. The same is not mandatory. It is to be decided in public interest by the employer.

4. For the reasons stated hereinabove, the petition is devoid of merit, which deserves to be and is dismissed, summarily.

Sd/-
Satish K.Agnihotri
Judge